

EMBALMERS' LAW IS NO GOOD

THE ORDINARY PLAIN UNDERTAKER CAN GO AHEAD.

Court of Appeals Frowns on What is Held to Be a Straining of the Police Power to Promote a Monopoly—Conviction of a Brooklyn Undertaker Reversed.

The Court of Appeals has decided that the law of 1905 requiring that a person not then engaged in the business of undertaking should not go into such business unless duly licensed as an embalmer and employed as assistant to a duly licensed undertaker for three years previous is unconstitutional. The ruling was made in reversing the conviction of William Ringe, an undertaker at 459 Seventh avenue, Brooklyn, who was found guilty in Special Sessions in Brooklyn in 1907.

Judge Chase, who wrote the unanimous opinion of the Court of Appeals, points out that there is no general statutory provision requiring that a dead human body shall be embalmed, and "it is a matter of common knowledge that all dead human bodies are not embalmed." He says that the Legislature can properly determine that undertakers bear such a relation to the public health and welfare that they should be subject to regulation and license, but declares that a statute passed pursuant to the police power of the Legislature to regulate them should be reasonable.

A statute cannot, under the guise of the police power, but really to effect some purpose not within such power, arbitrarily interfere with a person or a property right, says the Court. "The statute under consideration unreasonably interferes in several particulars with that liberty of person and property guaranteed by the Constitution. The work of an embalmer and that of an undertaker are in most instances in the interest of economy and that orderly procedure desirable to the performance of such work is done by the same person, but the public health does not require that an embalmer be an undertaker or that an undertaker be an embalmer."

The business of undertaking has been carried on for generations, particularly in the rural districts, by persons not holding embalmers' licenses and who have no special knowledge of the work of embalmers. There is nothing that occurs to us or that has been called to our attention to indicate any danger to public health in permitting a person otherwise qualified to carry on the business of undertaking solely because he is not a licensed embalmer.

The Court also holds that the section of the law is unconstitutional which prohibits a firm from engaging in undertaking unless each member of the firm is a licensed undertaker, and concludes: "We cannot refrain from the thought that the act in question was conceived and promulgated in the interests of those then engaged in the undertaking business, and that the relation which the business bears to the general health, morals and welfare of the State had much less influence upon its originators than the prospective monopoly that could be exercised with the aid of its provisions. We sustain the authority of the Legislature to pass a statute to license the business of undertakers to promote the health, morals, and general welfare of the State, but hold that the statute in question, so far as considered by us, is an unnecessary and unwarrantable interference with constitutional rights."

The Ringe case was made a test of the statute in question, and the New York State Undertakers' Association intervened in order to have the law passed upon.

POTHIER WOULD VETO IT.

Won't Sign Bill Attempting to Make North Carolina Pay for Her Old Bonds.

RALEIGH, N. C., Jan. 15.—A telegram from Providence, R. I., has been received here saying that Gov. Pothier of Rhode Island expressed regret that the attempt to collect \$500,000 special tax "Reconstruction Bonds," issued by the Confederate Legislature of North Carolina, in 1868, and presented to Rhode Island by a committee of New York bond holders, who hold \$15,000,000 of the same fraudulently issued bonds, was not disposed of by State Senate at once. Gov. Pothier said: "It would be a matter of exceeding pleasure to affix my first signature under the new veto power to a bill of this character, affecting as it does our friendly relations with a sister State."

The Governor of North Carolina expresses appreciation of the attitude of Rhode Island's Governor.

MRS. STICKNEY GETS DIVORCE.

Former Favorite of Newport Society, Afterward an Actress.

Boston, Jan. 15.—Mrs. Mabel Gould Slocum Stickney, known as a famous beauty of Newport, R. I., who won the favor of Mrs. Stuyvesant Fish by her manners and who later joined a comic opera company, which she left to get married, secured a divorce yesterday from Harold D. Stickney, a graduate of Harvard and a wealthy real estate broker of Taunton, on the ground of cruel and abusive treatment. The case was heard by Judge King in the Divorce Session of the Suffolk Superior Court, where it came on a change of venue. It required only about fifteen minutes to dispose of it.

There were only five witnesses. The libellant and her maid, Miss Crosby, and Mr. and Mrs. Hamilton, acquaintances, who live in Taunton. The suit was uncontested.

Mrs. Stickney testified that she was married in New York in 1903; that they lived in New York for two years and then Taunton from 1905 to 1909; that her husband is living there now and that she is living in Newport. Mr. Stickney, she said, began to keep late hours and showed signs of bad temper six months after their marriage. On one occasion, after they had moved to Taunton, he beat her severely, and she left him the next morning and went to her parents' home in Newport. She was in such a condition, she said, that the cabman had to carry her in his arms up the stairs in her mother's house.

Her husband, Mrs. Stickney declared, later came to Newport and asked her to return to Taunton, and at the solicitation of her mother she did so. The cruelty had no children. There was nothing said about alimony.

Mrs. Stickney's maid and the other witnesses corroborated her testimony. The divorce was granted. The Stickneys had no children. There was nothing said about alimony.

The marriage of the Stickneys was sudden. After Miss Slocum had been patronized by the Newport set she decided to go on the stage and was singing in "The Runaway." While in New York she was seen by Mr. Stickney, who sought an acquaintance with her. Shortly thereafter they were married and Mrs. Stickney left the stage. Stickney was graduated from Harvard in the class of 1902.

Another Office Building for Physicians.

Plans have been filed for making over the three story and basement private dwelling at 24 West Fifty-seventh street into a six story office building exclusively for physicians, the change of occupancy being made at a cost of \$40,000 from designs by Harry Allan Jacobs as architect for the 24 West Fifty-seventh Street Company as new owner.

Daniel G. Reid Sues the "World."

William F. Sheehan issued the following statement yesterday: "Mr. Daniel G. Reid through his attorneys, Parker, Hatch & Sheehan has instituted a suit in the Supreme Court against the Press Publishing Company, the publisher of the World, to recover \$100,000 damages for the false and libelous publications concerning him printed in the World on Friday, January 14."

WATER AND WASTE.

City Club Has a Symposium on the Catekill Money Shed.

Members of the City Club met at a luncheon yesterday at the clubhouse in West Forty-fourth street to listen to a talk on water supply. Chairman Chadwick of the Board of Additional Water Supply was the club's guest of honor. Lincoln Cromwell presided.

Mr. Chadwick entered into a defence of the necessity of the Catekill work and said that it would mean an adequate water supply for New York for years to come.

Assemblyman Lindon Bates, Jr., who hails from the Twenty-ninth Assembly district, opposed the expenditure of \$23,000,000 and said that in his opinion only \$100,000,000 should be spent, the rest to go into new subways. Stop the leakage and waste was his idea. In Brooklyn, he said, it was only recently found that one company was stealing 3 per cent. of the entire water supply of Brooklyn and in the Bronx a railroad was found to be stealing great quantities of water. In Brooklyn a house to house canvass resulted in the saving of 7,000,000 gallons a day. In London thirty-six gallons per capita is used daily. Here it is about 136 gallons.

Thomas A. Fulton of the City Club said that he was utterly opposed to the enormous expenditure for the Catekill water system. We waste daily, he said, about 200,000,000 gallons, or nearly as much as London uses.

Deputy Water Commissioner Bemis said that the question of waste was being taken up and that there was less waste each year. He thought that frequent inspection would help solve the problem and said that the new administration would work along those lines.

CAN'T SELL CORINNE'S JEWELS.

Money Lender Must Abide Her Action to Void the Bill of Sale.

Jewels pledged by Corinne Belle de Briou, the actress, better known as Corinne, for a loan of \$7,000 with Clarence M. Busch, a real estate man, must be held by Busch pending the termination of a suit brought by the actress to recover them, under a ruling by the Appellate Division of the Supreme Court yesterday.

The jewels, which include a diamond sunburst containing 800 gems, a diamond studded watch and a brooch set with a canary diamond weighing 33 carats, were presented to Corinne by her mother, Emma Kimball, the actress. While she was playing on the road in December, 1908, Corinne suffered reverses and needed \$7,000. She declared that she arranged with Busch to borrow the money until December 14, 1910, at 15 per cent interest, pledging the jewels as security, and with the privilege of paying the loan in installments.

Counsel for the actress told the Appellate Division that she was induced to give Busch a bill of sale for the jewels to avoid a charge of usury. Busch then declared that the jewels belonged to him and advertised them for sale. The sale has been held up pending the Appellate Division decision by an injunction, and the jewels must be held until the trial of Miss de Briou's suit to have the bill of sale declared void.

Special Sale of Laces and Embroideries

Macy's

R. H. Macy & Co.'s Attractions Are Their Low Prices.

34th to 35th St.

Special Sale of Women's Furs and Wraps

ANNUAL JANUARY LINEN SALE

This is our Annual January Sale of Linens. We have something to say about Cloths and Napkins, Damasks by the yard, Centrepieces, Scarfs, Huckaback Towels, Bath Towels, Friction Towels, Glass Towels and Towellings, Crasht, Bath Sheets, Bath Mats, and Wash Rags—something to say that housekeepers, managers of and buyers for boarding houses, hotels, schools, sanatoriums, hospitals and transportation companies should read with intense interest.

The offerings we make give you a double chance to secure reliable Linens and a chance to save money.

First, examine the Linens—the flax, the spinning, the finish, the designs. Everything about them precise, exact, true; and the prices are the prices that you are ordinarily asked elsewhere to pay for common qualities.

How does it all come about? For months Linen-trained eyes and fingers have been making ready for this event.

A manufacturer has never before been able to place his Linens in our Store. HE MADE CONCESSIONS.

A manufacturer has for many years merited and received our liberal patronage. HE MADE CONCESSIONS.

A manufacturer didn't gauge his distributing capacity aright. He is wedged in with surpluses. HE MADE CONCESSIONS.

A manufacturer was a borrower—sales lagged but notes matured with wonted regularity. HE MADE CONCESSIONS.

A manufacturer has reserves, sample lines, broken lots and discontinued patterns stowed away in stock rooms. HE MADE CONCESSIONS.

Table Cloths and Napkins

These Cloths and Napkins are our own importations and we know all about them. Mellow, beautiful Satin Damask—faithfully woven Scotch flax. The patterns include newest effects for round or square tables—among them plain satin stripes and bands that are so well liked.

There are Communion Cloths and Napkins in this lot.

Cloths 2 x 2 yards, value \$4.50; special \$3.96
Cloths 2 x 2½ yards, value \$6.00; special \$4.96
Cloths 2 x 3 yards, value \$6.50; special \$5.94
Cloths 2½ x 2½ yards, value \$7.50; special \$5.84
Cloths 2½ x 2½ yards, value \$8.00; special \$6.91
Cloths 2½ x 3 yards, value \$9.50; special \$7.92
Cloths 3 x 3 yards, value \$13.50; special \$11.39
Napkins, 22x22 inches, value \$5.50 dozen; special \$4.88
Napkins, 25x25 inches, value \$7.50 dozen; special \$5.92

Low-Priced Table Cloths and Napkins

Our own importation of Heavy Full-bleached Scotch Linen Table Cloths and Napkins in exclusive designs.

Prices for such qualities were never before pitched so low. Hemmed or unhemmed:

Cloths 68x68 inches, value \$1.75; special \$1.39
Cloths 68x86 inches, value \$2.25; special \$1.89
Cloths 68x104 inches, value \$2.50; special \$2.19
Napkins 18x18 inches, value \$1.50 dozen; special \$1.29
Napkins 22x22 inches, value \$2.25 dozen; special \$1.98

Here are finer qualities. The lustre of their surfaces tell you that. Candid as snow—and as pure and white as snow.

Cloths 2 x 2 yards, value \$3.50; special \$2.39
Cloths 2½ x 2½ yards, value \$4.00; special \$2.97
Cloths 2½ x 2½ yards, value \$5.00; special \$3.89
Napkins 22x22 inches, value \$3.50 dozen; special \$2.64
Napkins 24x24 inches, value \$4.50 dozen; special \$3.19

Grass-Bleached Scotch Satin

Damask Cloths and Napkins

These Grass-bleached Scotch Satin Damask Cloths and Napkins are warranted pure flax—every fibre flax—not a shred of anything else in them. Clear, regular, fine spinning, artistic round designs. Probably the greatest values we quote.

Cloths 2x2 yards, value \$2.50; special \$1.84
Cloths 2x2½ yards, value \$3.50; special \$2.69
Napkins 22x22 inches, value \$3.50 dozen; special \$2.83
Napkins 24x24 inches, value \$4.00 dozen; special \$3.29

Hemmed Linen Table Cloths

Irish Linen Satin Damask Cloths—hemmed ready to spread. Many so-called Satin Damask Cloths merely have the guise of Irish linen. Strange "treatment" processes give cotton and tow the seeming of flax. If you're not a judge you may mistake the imitation for the real. These are absolutely pure Irish linen. Many patterns. The manufacturer made bargains of them because the Napkins didn't hold out.

Cloths, 68x68 inches, value \$1.75; special \$1.39
Cloths, 68x84 inches, value \$2.25; special \$1.89
Cloths, 68x104 inches, value \$3.00; special \$2.19

Odd Table Cloths—A Miscellany

Our regular stock provides this lot of Table Cloths—all high grade Scotch Satin Damask. Some have Napkins to match; others are Napkinless. The aggregate quantity is large, but there are not many of each.

Every line in the shelves that shows marks of exhaustion from recent heavy selling has been re-priced and now swells this remarkable offering:

Cloths, 2 x 2½ yards; were \$3.36; special \$2.49
Cloths, 2 x 3 yards; were \$3.56; special \$2.97
Cloths, 2 x 3½ yards; were \$4.04; special \$3.39
Cloths, 2 x 3½ yards; were \$4.08; special \$3.27
Cloths, 2½ x 2½ yards; were \$4.33; special \$3.27
Cloths, 2½ x 3½ yards; were \$5.44; special \$3.59
Cloths, 2½ x 4 yards; were \$6.49; special \$4.49

Irish Linen Cloths and Napkins

Softness, quality, finish. The Irish linen maker excels at each of those points. Look at these Cloths and Napkins. More weight, body and firmness to them than you've ever seen at the price. Let the keenest eyes ferret. They'll find nothing but linen. The bright whiteness is the result of honest grass-bleaching. Sun and dew instead of chemicals. It is something to have such Cloths and Napkins. Patterns to suit any taste.

Cloths 2 x 2 yards, value \$3.50; special \$2.69
Cloths 2 x 2½ yards, value \$4.50; special \$3.29
Cloths 2 x 3 yards, value \$5.50; special \$3.96
Napkins 24x24 inches, value \$4.75 dozen; special \$3.79

Here's another grain from the Irish bin—Pure Grass-bleached Double Satin Damask—extra heavy and fine. Five choice patterns.

Cloths 2 x 2 yards, value \$3.00; special \$2.49
Cloths 2 x 2½ yards, value \$3.50; special \$2.97
Cloths 2 x 3 yards, value \$4.50; special \$3.69
Napkins 24x24 inches, value \$4.50 dozen; special \$3.79

Japanese Hand-Emb. Renaissance

Lace-trimmed Centrepieces and Scarfs

Fancy Linens are the particular pride of every housewife. But cost is sometimes a barrier to possession. During this sale the price-barrier is marked down. These Centrepieces and Scarfs have round thread Irish linen centres, hand-embroidered, trimmed with Japanese hand-made lace in Renaissance designs.

Centrepieces, 18 x 18 inches, value \$6.00 and \$8.00; special \$5.00
Centrepieces, 24 x 24 inches, value \$7.50 and \$10.00; special \$6.00
Centrepieces, 30 x 30 inches, value \$11.50 and \$15.00; special \$9.00
Centrepieces, 36 x 36 inches, value \$15.50 and \$19.00; special \$12.00
Scarfs, 18 x 54 inches, value \$1.50 and \$1.75; special \$1.00

Hemstitched Scarfs, centres of heavy serviceable union linen, finished with hand drawnwork in several attractive patterns.

Size 18 x 50 inches, value \$4.00; special \$3.00
Size 18 x 54 inches, value \$4.50; special \$3.50
Size 18 x 72 inches, value \$1.00; special \$0.80

A manufacturer competes with a more successful rival for our trade. HE MADE CONCESSIONS.

A manufacturer is in litigation or wishes to satisfy the claims of a retiring partner—and needs money. HE MADE CONCESSIONS.

These are some of the trade hinks and twists and quirks that provide far bargains for a sale like this. We keep pulling this way and poking that way—going wherever good Linens may be had at less than they are really worth—the kind of Linens that you may safely buy with your eyes shut and your wits off guard.

When Varieties, Qualities and Prices are considered, we are justified in saying that no other store does a Linen Sale as well as we do. Such occasions are recurrent in the experience of this store. One follows another. Sometimes it's one department, sometimes another—but no matter what interest is involved—best values, always.

Such happenings help everybody—inspire salespeople, stimulate and enrich customers, put manufacturers on their mettle, stir competition—keep moss and cobwebs from gathering.

Look at the masses of materials in the many flaxen weaves—all dazzling light and bright and white—novel, neat—full of power and charm.

Most of you know what they are worth. That's why the special prices will astonish you. They surprise even us.

Specials For Tuesday

NOT ON SALE MONDAY

\$1.24 for \$2.00 Broadcloth—Another lot of the Broadcloths that you may remember made such a sensation about two months ago. Emphatically the biggest value in Broadcloth we've ever been able to offer. The closer you scrutinize and make comparisons the stronger will be your conviction that no other store approaches it.

Surely there are scales on the eyes of any woman who fails to see these goods just as they are. Medium weight, silky finish, light to the touch, sponged, shrunk and guaranteed spot proof, 54 inches wide—navy, sage, olive, smoke, taupe, cedar, peacock and many other colors and variety of black. They are displayed in the sunlight and challenge the hardest critic to find a fault.

\$8.74 for Women's \$15.00 Dresses—made of ladies' cloth, serge, tanned mixtures and Italian silk Jersey, black and colors, Princess and semi-Princess models, plainly tailored and elaborately trimmed.

\$6.94 for Women's \$10.00 Long Coats—made of black jersey, semi-fitted model, plaid skirt, finished with attached straps and buttons, notched collar coat of black velvet and braid, lined with satin.

\$7.74 for Women's \$12.50 Long Coats—made of broadcloth, semi-fitted model, trimmed with braid and jet buttons, satin lined and interlined.

\$5.94 for Women's \$10.00 Capes—made of light-weight black jersey, 32 inches long, full draped, tastefully set off with braid, fancy high collar, lined with satin.

69c. for Women's \$1.00 Petticoats, made of moire-finished percale, flounce tucked and finished with two narrow ruffles.

79c. for Women's \$1.10 Petticoats, made of good quality saten, sectional flounce, tucked and finished with strapping.

\$1.29 for Women's \$2.00 Waists, made of sheer batiste, trimmed with three panels of hand-embroidery, closure buckling between; tucked back, lace trimmed stock collar, sleeves tucked and trimmed with lace; value \$2.00.

27c. for 65c. Imported Black Volls, 40 inches wide, self-colored checks and stripes. This fabric was woven in England and was never meant to retail for less than 55c. a yard.

\$1.69 for Women's \$2.50 Umbrellas—eight-ribbed Paragon frames, piece-dyed taffeta. Handles include Mission, ebony, French horn, pearl, gilt and gun metal trimmed with sterling silver, or silver or gilt caps.

Twenty-four Hundred Yards

Finest Outing Flannels—27 inches wide; dark gray checks and plaids. Regular 12½c quality; special 5c at

Cut Glass Pitchers—2½ pint capacity. Regular \$1.97 price \$3.49; Special for Tuesday.

Cut Glass Jelly Dish—8-inch size. Regular \$1.49 price \$2.23; Special for Tuesday.

Cut Glass Colory Trays—rich patterns. Regular \$2.69 price \$4.89; Special for Tuesday.

Cut Glass Olive Dishes—3 inch, two handles. Regular \$1.89 price \$2.97; Special for Tuesday.

Cut Glass Water Bottles—deep cuttings. Regular \$1.69 price \$2.87; Special for Tuesday.

Cut Glass Sugar and Creamer—handsome design. Regular price \$2.97; Special for Tuesday.

54c for Nickel-plated Alarm Clocks, 30-hour movement, four-inch dial, second hand, switch to stop alarm.

\$20 Crystal and Gold Regulator Clock.

Special for Tuesday \$11.89

They are 14 inches high and 8 inches wide at base—porcelain dial, guaranteed 8-day Seth Thomas movement, hour and half-hour strike on cathedral gong.

Only thirty-five of them.

"Fruit of the Loom"

Sheets and Pillow Cases

"Fruit of the Loom" Sheets and Pillow Cases is the standard brand by which others are compared. We always carry a full line—made to our special order and cut full or "finished" size—which means they are as wide and long as we say they are, exclusive of hems.

We keep emphasizing this particular brand, because it reflects credit on any store to show a great increase in the sales of such goods. Present prices are based on what cotton was selling at a year ago.

In February we anticipate a compulsory rise. Buy now.

63x 90 in. Sheets, at 67c 81x 90 in. Sheets, at 79c
63x 99 in. Sheets, at 73c 81x 99 in. Sheets, at 86c
63x108 in. Sheets, at 79c 81x108 in. Sheets, at 93c
72x 90 in. Sheets, at 74c 90x 90 in. Sheets, at 84c
72x 99 in. Sheets, at 79c 90x 99 in. Sheets, at 94c
72x108 in. Sheets, at 87c 90x108 in. Sheets, at 99c

42x36 in. Pillow Cases, at 18c 50x36 in. Pillow Cases, at 23c
45x36 in. Pillow Cases, at 19c 54x36 in. Pillow Cases, at 24c
Hemstitched Pillow Cases 5c additional and Hemstitched Sheets 10c additional.

Men's 35c Handkerchiefs at 24c

Two hundred dozen Men's Irish Linen Handkerchiefs, hand-drawn hemstitching—hems eighth, quarter, half and one inch wide.

The linen is smooth, regular and fine—Handkerchiefs that you'll find it hard to match anywhere else at 30c.; special at 24c.

Women's Irish Linen Handkerchiefs, hand-drawn hemstitching, cross-bar patterns, hand-embroidered, tread-washed initial; soft elastic where at 35c.; for 24c.; special here, 15c.

Women's Shamrock Linen Handkerchiefs, cross-bar patterns, hand-embroidered, tread-washed initial; soft elastic where at 35c.; for 24c.; special here, 15c.

Furniture for the "Oak-Room"

AMONG the rightful heritages which have descended to us from our English forebears may be reckoned the Associative interest and the Decorative value of the historical examples of Tudor and Stuart furniture belonging to the "Age of Oak."

It is from pieces such as these that inspiration has been gained for the production of the Oaken Furniture which we have gathered into so interesting an exhibit in one of our twelve galleries devoted to the display of furniture of distinction.

Here whether the "Oak-Room" for which it is destined be Dining Room, Library, Hall or Bachelor's Sanctum, ample opportunity is afforded for discriminating selection.

The Grand Rapids Furniture Company

(Incorporated),

34 and 36 West 32d Street,
Between Fifth Avenue and Broadway,
New York.